ARGUMENTS/REMARKS

Claims 1-19 and 22-27 are pending in the present application. Claims 1 and 18 are independent claims. Claims 20-21 have been canceled. Claims 1, 8, 9, 18, 19, 22, 23, 24, and 25 have been amended.

Applicant has provided amended paragraphs of the specification to correct typographical errors in the publication of the application. With regard to paragraphs 34 the amendment is located in the word "the" seven lines from the bottom of the paragraph.

With regard to paragraph [0039] the amendment is located in the second to last line of the paragraph in the word "internet".

Claims 1-17 are rejected under 35 U.S.C. §101 as directed to non-statutory subject matter. Applicant has amended independent claim 1 to include the limitation "a back end component implemented using one or more general purpose computers having a processor and memory" (e.g. [0037]). In view of the amendment, applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. §101 rejection.

In the office action, claims 1, 3, 7-10, 13, 14, and 16-25 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Application Publication No. 2004/0117185 to Scarano et al. (Scarano et al.)

Applicant has amended independent claims 1 and 18 with similar features to clarify the full scope of the disclosure (e.g. see paragraphs [0032], [0033], [0034], and [0037] of the publication):

Claim 1 recites:

A target-oriented apparatus for capturing communication items associated with targets according to interception criteria, the apparatus comprising:

multiple front end components, the front end components comprising:

at least one interception criteria operation component for determining whether a communication item in which a target participates complies with the interception criteria; and

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at least one capturing component for capturing the communication item;

wherein at least one of the multiple front end components handles communication items other than telephone conversations;

and

a back end component implemented using one or more general purpose computers having a processor and memory, the back end component comprising:

at least one front end interface server for interfacing between the at least one capturing component of the multiple front end components and the back end component;

a storage device for storing communication items received from the at least one capturing component of the multiple front end components;

at least one hierarchy definition and update component, for defining a hierarchy for capturing and storing interactions, said hierarchy comprising at least one interception criteria; and

at least one query engine for filtering the stored communication items according to the at least one interception criteria".

Claim 18 recites:
"A method for reviewing communication items, the method comprising the steps of:

defining a hierarchy for capturing and storing interactions, said hierarchy comprising at least one interception criteria, said at least one interception criteria associated with a target;

intercepting communication items in which the target participates using multiple front end components; wherein at least one of the multiple front end components handles communication items other than telephone conversations;

determining whether the communication items comply with said at least one interception criteria;

capturing the communication items that comply with said at least one interception criteria;

passing the communication items to a back end component; wherein said back end component is implemented using one or more general purpose computers having a processor and memory;

storing the communication items using the back end component; and

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reviewing the stored communication items at the back end component using a query engine".

Scarano et al. disclose a system for audio data monitoring and evaluation using speech recognition. The system of Scarano et al. discloses monitoring and processing telephone conversations (Abstract, [0133], [0151]-[0152]). Scarano et al. describe capturing audio from conversations with agents and processing the captured data (e.g. speech processing) to identify specific phrases [0154]-[0157].

In contrast, the independent claims now recite a system for capturing communication items of various types (optionally, telephone conversations and at least one other type of communication item other than telephone conversations). Providing the captured communication items to a back end component for storing and reviewing in a unified interception system. Scarano does not disclose or suggest the capture of other types of communication items and storing them in a common interception system.

Scarano et al. mention use of a server for processing email messages so an agent can handle email interactions [0148], and also use of a web server that can host self service applications [0149]. However, Scarano et al. do not disclose or suggest interception and capture of the communication data of the email server or of the web applications. Scarano et al. describe a corporate system that is receiving the communication items and not an interception system capturing communication items going to a third party. Additionally, Scarano et al. disclose that each application is independent and has its own server and does not disclose or suggest storing the captured data in system with a a common interface that handles different types of communication items.

In view of the above explanations and amendments, Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 U.S.C. §102(b).

Dependent claims 8, 9, 19, 22, 23, 24, and 25 have been amended to conform to the amendments to independent claims 1 and 18.

In the office action, claim 2 is rejected under 35 U.S.C. §103(a) as being unpatentable over Scarano et al. in view of U.S. Patent Application Publication No. 2007/0112713 to Seaman (Seaman).

Seaman is directed to a method of profiling a potential offender using behavioral analysis based on a crime type and the evidence input data to generate a behavior profile of a potential offender associated with an incident.

Seaman does not correct the deficiency of Scarano et al. Seaman does not disclose a system for capturing communication items of various types (optionally, telephone conversations and at least one other type of communication item other than telephone conversations). Further, Seaman does not disclose providing the captured communication items to a back end component for storing and reviewing in a unified interception system.

In paragraph 30 the Examiner states that claims 4 and 5 are rejected under 35 U.S.C. §103(a) as being unpatentable over Scarano et al. in view of U.S. Patent Application Publication No. US 2004/0131160 to Mardirossian (Mardirossian).

Mardirossian is directed to a method and system for monitoring individuals using voice print matching to match previously stored unidentified speech samples with known voice prints.

Mardirossian does not correct the deficiency of Scarano et al. Mardirossian does not disclose a system for capturing communication items of various types (optionally, telephone conversations and at least one other type of communication item other than telephone conversations). Further, Mardirossian does not disclose providing the captured communication items to a back end component for storing and reviewing in a unified interception system.

In paragraph 33 the Examiner states that claim 6 is rejected under 35 U.S.C. §103(a) as being unpatentable over Scarano et al. in view of U.S. Patent Application Publication No. 2001/0052081 to McKibben et al. (McKibben et al).

McKibben et al. is directed to a communication network utilized for providing communications between a first party and a second party.

McKibben does not correct the deficiency of Scarano et al. McKibben does not disclose a system for capturing communication items of various types (optionally, telephone conversations and at least one other type of communication item other than telephone conversations). Further, McKibben does not disclose providing the captured communication items to a back end component for storing and reviewing in a unified interception system.

In paragraph 35 the Examiner states that claims 11, 12 and 26 are rejected under 35 U.S.C. §103(a) as being unpatentable over Scarano et al. in view of U.S. Patent No. 6,459,782 to Bedrosian et al. (Bedrosian et al.)

Bedrosian et al. is directed to a method and system of developing mapping and directions from caller identification information.

Bedrosian et al. do not correct the deficiency of Scarano et al. Bedrosian et al. do not disclose a system for capturing communication items of various types (optionally, telephone conversations and at least one other type of communication item other than telephone conversations). Further, Bedrosian et al. do not disclose providing the captured communication items to a back end component for storing and reviewing in a unified interception system.

In paragraph 39 the Examiner states that claim 15 is rejected under 35 U.S.C. §103(a) as being unpatentable over Scarano et al. in view of U.S. Patent Application Publication No. 2004/0243536 to Jenson et al. (Jenson et al.)

Jensen et al. is directed to an information capturing system that generates and inserts authentication codes into files selected for inclusion into a database.

Jensen et al. do not correct the deficiency of Scarano et al. Jensen et al. do not disclose a system for capturing communication items of various types (optionally, telephone conversations and at least one other type of communication item other than

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telephone conversations). Further, Jensen et al. do not disclose providing the captured communication items to a back end component for storing and reviewing in a unified interception system.

In paragraph 41 the Examiner states that claim 27 is rejected under 35 U.S.C. §103(a) as being unpatentable over Scarano et al. in view of U.S. Patent No. 6,665,715 to Houri et al. (Houri et al.)

Houri et al. is directed to systems and methods for locating geographical locations of online users.

Houri et al. do not correct the deficiency of Scarano et al. Houri et al. do not disclose a system for capturing communication items of various types (optionally, telephone conversations and at least one other type of communication item other than telephone conversations). Further, Houri et al. do not disclose providing the captured communication items to a back end component for storing and reviewing in a unified interception system.

In view of the above explanations and amendments independent claims 1 and 18 now include limitations not taught by Scarano. None of the prior art mentioned above are combinable with Scarano to teach the missing limitations of the amended claims. Accordingly, a prima-facie case of obviousness cannot be shown because Scarano in combination with the cited references of record lack features of the recited claims.

In view of the above explanations and amendments applicant respectfully requests withdrawal of the rejections and allowance of the claimed invention.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to Deposit Account No.: 01-0467.

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Should the Examiner have any questions concerning this Response, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully Submitted,

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Date

/Charles N.J. Ruggiero/
Charles N. J. Ruggiero
Reg. No. 28,468
Attorney for the Applicant
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682
Tel: 203-327-4500
Fax: 203-327-6401